THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.20821 OF 2007

Dated: 04-10-2007

Between:

M/s.KEC International Limited,
Kurnool

…Petitioner

and

1.The Additional Commissioner (CT) Legal,
Hyderabad and 4 others.

…Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.20821 OF 2007

Dated: 04-10-2007

Order: (Per The Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

The controversy is that pending appeal before the appellate authority, stay application moved by the petitioner has been dismissed and the garnishee notice dated 24-07-

2007 has been issued.

We have gone through the record. We feel that the interest of justice would have been met if stay was granted pending appeal, subject to deposit of half of the liability. Therefore, we set aside the order of the authority and the impugned garnishee notice and direct that half of the disputed tax liability shall be paid by the petitioner within a period of four weeks. For four weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeal, provided the amount is deposited within four weeks. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeal.

Writ Petition is disposed of accordingly. No costs.

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(Bilal Nazki, J)

Dated 4th October, 2007

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(Ramesh Ranganathan, J)

Note:
Wire at party's costs.
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